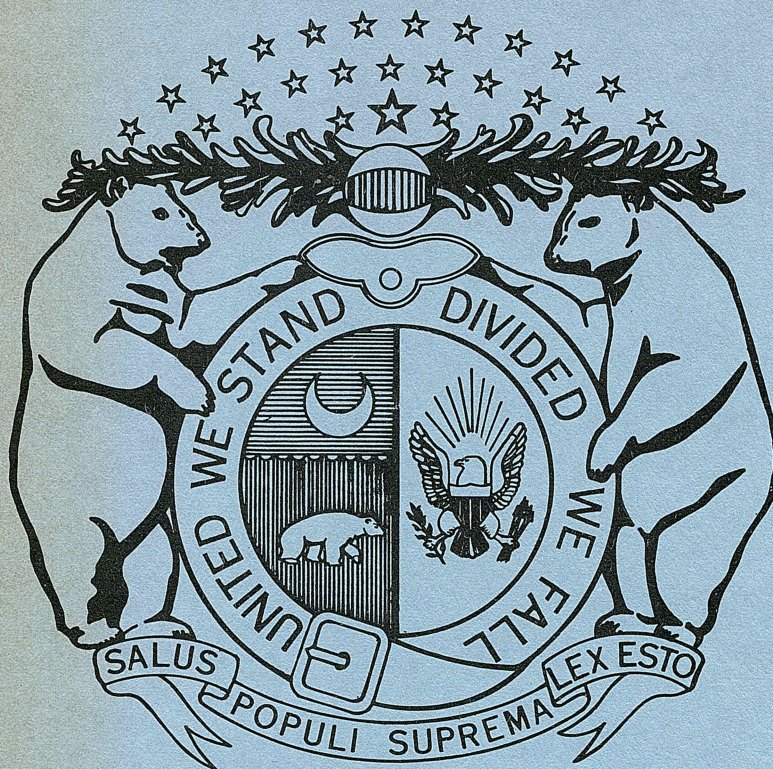


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THE MISSOURI STATE LIBRARY INSTITUTE ON
STATE GOVERNMENT

August 20-24, 1973

The State Library In-Service Training Institute on State Government was intended to achieve dual objectives:

Primarily, to broaden the participants' understanding of the governmental process from their perspective as citizens of the state;

Secondarily, to enable them to learn of new resources available to their libraries which would be of benefit to their users and prospective users.

Jolene Daugherty, former Government Services Librarian at the State Library, who served as Coordinator for the Institute, planned to accomplish these objectives in a number of ways: By providing a well-balanced and integrated program of speakers, including elected officials, state agency heads, and representatives from state departments, divisions, and offices; this was preceded by an introduction to state government and its decision-making processes and a review of Missouri government, comparing it to that of other states and pointing out its major strengths and weaknesses.

Tying the program of speakers together was a continuing discussion, emphasizing the role of each specific agency within the structure of the state government and centering on how the agencies are linked. To formulate an approach, direct the discussion, ask questions, answer questions, and serve as "Resource Person" throughout the week was an expert on state government.

Dr. David Leuthold, Director of the Public Opinion Survey Unit and Associate Professor of Political Science at the University of Missouri-Columbia, served ably in this capacity. Dr. Leuthold, who has been at UMC since 1963, holds B.A. and M.A. degrees from the University of Montana and a Ph.D. from the University of California at Berkeley. His experience has included a Visiting Professorship in Political Science at the University of Michigan, 1967-68, and he served as Visiting Scholar, Victoria University, Wellington, New Zealand in 1971. At UMC he has served as Faculty Research Assistant in the School of Business and Public Administration Research Center. His research interests include studies of election campaigns, legislative reapportionment, survey research methodology and state government.

A member of the Missouri Political Science Association, for which he was Secretary-Treasurer, 1964-67, the American Political Science Association, and the American Association for Public Opinion Research, Dr. Leuthold is the author of a number of books and articles on governmental process. Included are Electioneering in a Democracy, published by John Wiley & Sons in 1968; Patterns of Bias in Samples Based on Telephone Directories, "Public Opinion Quarterly, Summer, 1971; and The Legislature in Missouri's Political System, in Midwest Politics, edited by Samuel C. Patterson and published by the Institute of Public Affairs, University of Iowa, in 1967.

Dr. Leuthold has written an article on the Institute on State Government which the Missouri State Library hereby makes available for the use of libraries in the state, state agencies, and interested citizens and organizations. Following Dr. Leuthold's article is Appendix I, which provides an outline of the program and information on the speakers, and Appendix II, an article on the Supreme Court Library.

A VIEW OF MISSOURI GOVERNMENT
The Missouri State Library Institute on
State Government
By David A. Leuthold

Missouri state government has thousands of employees; hundreds of offices and dozens of agencies. An observer must necessarily adopt some framework or model in order to make sense of such a complex and involved entity. For the State Library Institute on State Government, a decision-making model was adopted, concentrating on the various decisions made in state government and the manner in which public officials make their decisions. This framework was based implicitly on a systems model, which includes an assumption that citizens make requests or demands upon the government officials, that those officials then make decisions about which programs to institute or change, and that these decisions are then carried out by state agencies in the form of public policies, such as a welfare program, construction of a highway, or development of a set of regulations to reduce air pollution.

Environment of Missouri's political system

Missouri state government is part of a federal system of government. Three different explanations have been offered for the development of federal systems -- a military explanation, an economic explanation, and a diversity of cultures explanation. The military explanation, advanced especially by William Riker, argues that federal systems are usually devised as a means of increasing military power without giving complete authority to a central government. Such federal systems may be built on self-defense or on a desire for territorial expansion. Riker argues that the 13 original states were fearful of Great Britain, which had not yet withdrawn from the Northwest Territories, and of France and Spain, which still held important military bases in North America. The 13 were also eager for expansion; a federal form of government allowed the cooperation needed for military strength. Federalisms established under this stimulus, according to Riker, would place

military power with the central government and such power would subsequently prevent the dissolution of the federal union. Certainly in the United States, the power of the central government prevented Southern states from seceding during the Civil War.

Charles Beard is one of the scholars who has argued an economic interpretation, assuming that the principal thrust toward cooperation among the original colonies was a desire for economic profits through expansion of markets and control of government economic policies. Under such a thrust, the central government is likely to have control over economic and banking policies, over tariffs and taxation.

The diversity of cultures explanation for federal systems is based on the assumption that different ethnic or cultural groups want to insure continuation of their special cultural or moral attitudes. In federal systems stimulated by this emphasis, control over schools, moral standards, police enforcement and civil rights are likely to be kept at the local level.

Each of these explanations has some apparent usefulness for the United States. Many of the institutions designed to maintain American federalism -- the U.S. Senate with two Senators from each state, the electoral college, the representation of circuits by U.S. Supreme Court judges in our early history -- have been altered so that they reinforce the central government today rather than maintain federalism. The institution which has been particularly effective in maintaining federalism has been the party system, with its decentralization, its emphasis on state and local organizations. However, changes in party structure in the last few years, especially in the Democratic party, have been shifting power to national leaders and national organizations. For example the 1972 Democratic national convention required states to eliminate winner-take-all primaries by 1976. Given this shift, the United States may well be moving headlong from the federal system of government to a unitary system of government.

The environment of Missouri's political system includes its physical characteristics -- a land-locked state serviced by major rivers

with apparently average land values and mineral resources compared to other states -- and its economic system. Missouri is fairly populous and reasonably well-to-do, at least average if not above average in per capita wealth. Poverty is found especially in rural areas in the southern half of the state. Great social diversity exists in the state, much of it dating back to the Civil War when Missouri contributed 10 percent of the Union Army and 10 percent of the Confederate Army, and was the scene of 10 percent of the Civil War battles, many of them being Missouri's 10 percents fighting each other. This sharp division has resulted in a cautious approach to politics, an unwillingness of groups to impose harshly on one another, a reluctance of interests to push to an overwhelming victory. The ravages of war apparently taught Missourians to proceed cautiously, to forsake immediate advantage for long-term tranquility.

Requests and demands from the population

Decision-making in state government is often preceded by requests from citizens--petitions for services or demands for redress of grievances. The measurement and assessment of such requests is one of the major tasks of politicians, and their tools include surveys, mail, newspaper reports, and personal contacts.

Surveys conducted by the Public Opinion Survey Unit, University of Missouri, indicate that the average Missouri voter is about 45 years old, has a high school education, and lives in a city of 10,000 or more people. Four of every ten voters consider themselves Democrats, four consider themselves independents and two consider themselves Republicans, indicating that Republican candidates have to persuade their own party members, plus three-fourths of the independents, to have any chance of winning. Less than 10 percent of the voters are Negroes, but Negroes do constitute about 20 percent of the voters in Democratic party primaries, so that they may hold a balance of power position in closely fought Democratic nomination contests. In presidential elections from 1952 through 1972, Democratic presidential candidates received an

average of 49.1 percent of the Missouri vote, Republican presidential candidates received 48.7 percent of the vote, and third party candidates (mostly George Wallace in 1968) received an average of 1.9 percent of the vote. Obviously presidential contests in Missouri have been very close; on the state level, however, Democrats have been far more successful than Republicans. Surveys have indicated strong public support for public education, higher education, job training, and for aid to the elderly. (Missouri ranks second in the nation in the proportion of people over 65 years old). Support for housing programs, national defense and farm supports have also been significant. Residents of the state have been sharply divided in their attitudes on integration and civil rights. Only limited support was found for foreign aid or higher taxes.

Another measure of public attitudes is letters mailed to public officials. Only about 15 percent of the voters write to public officials, and these writers tend to be more opinionated and certainly more informed than the average citizen. Nevertheless their views do indicate items that are troubling citizens. Ann Tettlebaum, program assistant in Governor Bond's office, reported that the Governor is now receiving 2,000 letters per week, and was receiving 2,000 letters a day early in his administration. Ninety percent of these letters are from citizens. Of the citizen letters, 70 percent express opinions or give information on some public issue. The remaining 30 percent involve problems of individual citizens, perhaps with a state agency.

Each letter is read by an assistant to the Governor. The Governor himself sees a summary of the mail each week, including any unusual or cogent arguments that may have been included. Many letters are simply forwarded to the appropriate state agency, asking the agency to reply. The Governor's office follows closely those letters indicating inappropriate action by the agency or state employees.

Ms. Tettlebaum described mail as an educational process, informing both the citizen and the public official. The letters which are

most likely to influence the Governor are those providing reports on events or programs. Citizens may alert the Governor to new federal regulations, or to inefficient or inappropriate procedures being followed in state government. In this way, citizens serve as the eyes and ears for the Governor, who cannot cover the entire state or all the substantive areas of state government.

Phill Brooks, Bureau Chief for Missouri Radio News, commented on the decisions of newspapermen about what stories to cover. Surveys of the public asking about important problems indicate that citizens often respond in terms of the stories recently appearing in the mass media. Brooks felt that his decisions as a reporter were often determined by the activities of public officials. The public officials have some feel for public attitudes, so that their actions reflect public concerns to some extent. A newsman's own contact with the public is very limited; though he serves as the citizen's representative, asking the questions the citizen would ask if he were there and were sufficiently well informed, the reporter's contacts are often restricted to fellow newsmen and to the officials who are his sources.

Brooks noted that the choice of issues newsmen cover often reflects a liberal slant, in that liberalism implies change, and change is more newsworthy than maintenance of the status quo. Similarly in Jefferson City, newsmen cover the legislature much more than the administrative and judicial agencies simply because the legislature is more open and accessible.

Interest groups often present the requests that are likely to be considered by Missouri government, given the limited number of citizens who individually petition public officials. Two interest group representatives, Jim Davis, Executive Secretary of the Missouri AFL-CIO, and Bill Mitchell, Executive Secretary of the Missouri Association for Mental Health, candidly discussed their activities as lobbyists. For both groups, decisions about issues to support or to oppose are made by governing boards after consultation with the membership in various ways. Both lobbyists agreed that legislators had to be convinced of the need for particular legislation, and that

lobbyists must be candid and truthful if they hope to influence legislators day after day. Legislators develop patterns of trust with particular lobbyists if they find those lobbyists well-informed and trustworthy. Both groups utilized members around the state, asking individuals to contact their legislators about important bills. Davis noted that the AFL-CIO had a group of 8,000 activists, and estimated that 5,000 of those people would send letters to legislators in response to a request. Both men agreed that letter writing campaigns must be used cautiously as legislators may become irritated at too much pressure.

Contrasts were clearly evident between Davis, who has been centrally involved in Missouri politics for thirty years, and Mitchell, whose lobbying activities began last January. Davis noted that soon after each November election, he knows something about almost all of the legislators, and has some idea of who the leaders and committee members will be. He consults the Speaker, asking for assignment of his bills to friendly committees, then tries to work with committee chairmen to secure public hearings early in the session and on evenings in which they will not conflict with other heavily-attended hearings. By the beginning of the session he often knows how two-thirds or more of the members will vote on his proposals.

In contrast, Mitchell began his job last January by wandering the halls with little more than a list of legislators, attempting to meet some of them, especially those who were likely to be involved with his legislation. He secured information about public hearings from notices posted on the bulletin boards. Much of this process was an exchange of information as Mitchell told legislators of his concerns and they indicated their interest in and attitude toward that concern.

Both men agreed that their job was to influence the legislator, that often they would be able to secure only a short conversation and that they must be well prepared. Davis noted that the origin of the term lobbyists might well be traced to the numerous hours he and other lobbyists wait in an outer lobby

in order to have a few minutes with a legislator.

A 1966 survey of Missouri legislators by University of Missouri political scientists indicated that the most influential lobbies were the Missouri State Teachers Association, the AFL-CIO, the Missouri Farmers Association, truckers, the Chamber of Commerce, liquor, oil, the Farm Bureau, and the Steamfitters Union.

Resources

Frequently any request for a new program is met by a statement, "Where's the money for it?" Missouri is a low tax state. The state and local governments utilize a wide variety of different taxes, including property taxes, general sales taxes, individual and corporate income taxes and motor fuel taxes, but maintain comparatively low rates on most of them. Given Missouri's average or better than average income, Missouri often ranks near the bottom of the states in the proportion of personal income paid in state and local taxes.

The problem of collecting these taxes was described by James Spradling, Director of the Department of Revenue. This agency has more than 1500 employees, and administers 22 different programs, including income tax, sales tax, motor vehicle licenses, drivers licenses, and motor fuel taxes. The department is sufficiently big and complex so that outsiders have compared it to China, in its ability to swallow up reformers and make them Chinese. A major responsibility of the agency is enforcing compliance with the tax laws. Spradling estimated that the state is probably losing \$30 million dollars per year in uncollected sales taxes, in that a few merchants collect the sales tax but fail to forward it to state government. To counter-act this, the Departmental auditing staff has been strengthened and a new investigation bureau is being established. In addition, recent legislative changes will allow Missourians to utilize their federal income tax forms for calculation of their state income taxes. As a result the state will rely upon federal audits to catch cheaters, and will prosecute on the basis of evidence uncovered by the federal agents. Since the federal

government conducts many more audits of individual returns than does the state, coverage will be greatly expanded.

Decision-Making agencies

Governor's Office: Many of the decisions of state government reflect the attitudes of the chief executive official, the Governor. Ann Tettlebaum noted that in many cases the Governor does not have explicit executive authority, and that he must rely on persuasion or conciliation. Many of the agencies of state government are directed by boards or commissions, often appointed by Governor Bond's predecessor. Consequently the Governor often utilizes informal procedures, reviewing long range plans submitted by agencies and consulting with agency officials. The Governor and his staff have been especially involved in issues for which no state agency has exclusive authority, such as the energy crisis, economic development and transportation, including the proposed cancellation of the St. Louis to Kansas City Amtrak train. The Governor also comments frequently on proposed federal regulations.

Decision-making on the budget was described by Mark Edelman, director of the Division of the Budget, and formerly an analyst in the Federal Bureau of the Budget. Edelman noted that the state is trying to introduce a program budget which describes costs on the basis of services provided rather than the line item budget which lists expenditures for items such as salaries or pieces of equipment. The program budget would provide a more objective basis for governmental decisions. Governor Bond is very interested in the state budget, and the Division attempts to provide him with alternatives to choose from as he makes decisions. The Governor likes to have options to choose among, Edelman reported, and sometimes thinks of options besides those proposed by his staff.

One of Governor Bond's special efforts in the upcoming budget will be the improvement of salaries for state employees. Speaker after speaker commented on the salary problem. Judy Cravens of the Division of Mental

Health mentioned that some employees in that Division were receiving salaries below the poverty level. Edelman commented that turnover in the Department of Corrections was 30 percent each year, and that beginning correctional officers working for St. Louis city government started more than \$100 per month higher than beginning state correctional officers. James Spradling noted that his predecessor had a turnover of 30 percent per year due to low salaries in the Department of Revenue. Walter Sartorius, of the Board of Probation and Parole, said that 35 percent of the probation and parole officers leave within two years, usually for higher paying jobs in other states or in cities within the state. The Revenue Department and the Auditor have both attempted to increase salaries and reduce the number of employees in their departments, believing that the better paid employees will accomplish more.

A second major problem for Missouri decision-makers has been relations with the federal government. Edelman noted that almost half of Missouri's budget is from federal funds. Comments from speakers indicated that many of the state's programs would not have been instituted without the stimulus of the federal funds. However many agencies have seen their federal funds cut in the last few years, and the Nixon administration has been withholding appropriated funds in additional cases. Consequently state administrators have been unable to plan on either a long range or short term basis. Edelman stated that on several occasions programs had been started with federal funds which had later been withdrawn so that the state government was forced to suddenly provide financing to continue the programs. Consequently the General Assembly was increasingly unwilling to accept federal financing for any program. Administrators also commented on the numerous man-hours required for preparation of reports for the federal government.

The difficulty of the federal relationship was aptly illustrated by Harvey Shell, executive director of the Missouri Air Conservation Commission, who noted that the city of Columbia had in its electric power plant, four

old boilers which did not meet current air pollution standards. The boilers were not used but were maintained in case of emergency. Union Electric Company, which wished to buy electricity from the city of Columbia in case of dire emergency, agreed to pay the city \$250,000 per year to maintain the boilers. However the Environmental Protection Agency has noted that the boilers will pollute the air if they are used, and is threatening to withdraw approval of the Columbia power plant unless the boilers are dismantled. The city intends to dismantle the boilers when it builds new boilers but in the meantime would like to collect the \$250,000 per year for the boilers which would be used only in case of severe electrical power shortage.

Legislature: Decision-making in the General Assembly was described very clearly by Senator Larry Marshall, Columbia, and Representative Harold Dickson, California, Missouri. Legislators are faced with overwhelming amounts of information from lobbyists, citizens and public agencies. Senator Marshall noted that he had taken a stand for the Equal Rights Amendment during his campaign, but was subsequently subjected to several hours of lobbying by groups opposed to the organization. In addition he received numerous letters, 150 to 200 from Jackson County alone -- an area outside his district.

These extensive pressures force the legislators to specialize, primarily by the use of committees. Representative Dickson said that the committee process is hampered at times by failure of the Speaker of the House to appoint members, especially/minority party members, to committees in which they have personal expertise. Senator Marshall noted that he specialized by concentrating on the bills which came before his committees or were reported to the floor by other committees.

The legislator's more significant decisions are those made on the floor in his votes. Senator Marshall stated that he often found that he favored a general concept but opposed a particular bill because it was poorly written or because it included undesirable provisions or amendments. Because of the possibility of undesirable amendments, legislators find it

inappropriate to commit themselves on a particular bill in advance. Representative Dickson noted that his tests for a bill included its constitutionality, the extent to which it conflicted with other laws, the clarity of the language, the cost of the proposal, and the extent to which it was in the interest of all the people. Senator Marshall said he required those who wanted to make a change in the law to make a convincing case. Both legislators said that the pressure of business often forced them to rely in part on the recommendations of other people -- lobbyists, citizens, staff assistants or fellow legislators. In those cases they often considered the extent to which they had found the people informed and trustworthy.

Academic studies have shown that legislators in the Missouri House, faced with numerous decisions, frequently follow the lead of one of their colleagues. If two colleagues disagree and the legislator must choose between them, he often chooses the colleague of his own political party, indicating the importance of political party as a determinant. Similarly legislators were more likely to follow fellow legislators from their own part of the state. These patterns were much stronger in the House than in the Senate. The House has 163 members, and Representatives have difficulty getting to know fellow Representatives well; consequently they must judge on the basis of such characteristics as political party or formal position in the House. In contrast Senators, who number only 34, can become well acquainted with each other, and make their decisions more on informal bases and less on party lines or formal positions.

Judiciary: The judicial branch of government is decidedly less partisan than the executive or legislative branches, so much so that many Americans have come to regard it as nonpartisan, even nonpolitical.

The judiciary however is a political agency, often involved in making policy. The U.S. Supreme Court for example has established our national policy in such areas as school integration, reapportionment of legislatures, abortions, and the death penalty. Policy-making in the courts is different how-

ever; lobbyists do not wait on judge's offices, citizens do not write letters to judges. The judiciary often settles only a particular conflict, and the broader implications of that settlement may or may not be clear and agreed upon. Policy cases before the courts are often raised by interest groups which can afford to hire the lawyers needed. The judiciary is a recourse for groups which are so small or unpopular that they have no strength in the legislature, groups such as small religious sects, prisoners, and atheists.

In Missouri the importance of judicial decisions is reflected in the interest of groups in the selection of judges. Professors Richard Watson and Rondal Downing of the University of Missouri, Columbia have studied the Missouri Plan for nominating judges and have found that lawyers are divided to some extent between plaintiff's lawyers, those who bring suit, often for a citizen who believes he has been injured, and defendant's lawyers, those who defend against the suits, often insurance companies. These two groups often contend for the right to nominate candidates for the judgeship. The two professors also found that the Governor has extensive influence in the process and is often successful in getting the nominating commission to nominate a man that he would like to appoint.

Judge James A. Finch, Jr. described very thoroughly the decision-making process on the Missouri Supreme Court. Cases are heard three times a year with about five to six cases being heard each day during the sessions. At the end of each day a tentative vote is taken, with Justices expressing their initial opinions. Based upon this division, decisions are made on which judge will write the opinions. The individual Justice who is writing an opinion may have his law clerk prepare a memorandum on the case, and the judge considers this memorandum as well as the legal briefs and oral arguments presented. The Justice's opinion is then circulated to the other Justices and commissioners. Once a month members of the court meet to consider the written opinions which have been circulated during that month. A second vote is taken then. If a dissenting opinion now secures a majority vote, and this

does happen from time to time, the case will be reassigned so that the opinions are presented in appropriate forms for majority and minority opinions.

Karen Harper, an Assistant Attorney General, described the work of the Attorney General's office in a very well received talk. Many of the judicial policies of the state are made by prosecuting attorneys, because these officials can decide whether or not to prosecute cases and whether to accept a proposed negotiated guilty plea. The Attorney General has some similar powers but is expected to represent state officials in all appropriate cases and to uphold the constitutionality of all Missouri statutes. Ms. Harper has been involved in such work, assisting Attorney General Danforth in the effort to uphold Missouri's abortion statute. Hundreds of cases are handled each year by the Attorney General and his 38 assistants. Various assistants specialize in such areas as consumer fraud, workman's compensation, and anti-trust. The Attorney General also provides legal opinions for public officials in areas in which court decisions have not been rendered and no cases are pending.

Policy-implementing Agencies

Once decisions have been made by the executive, legislative or judicial branch on broad policy matters, the implementation of those policies is usually transferred to a state agency. Such agencies may be heavily involved in making further policy decisions.

Clearly the Missouri Air Conservation Commission makes numerous policy decisions concerning air pollution. Harvey Shell, director, noted that the agency had adopted regulations for the St. Louis area, the Kansas City area, the Springfield area and the rest of the state. Much of the air pollution from industrial plants has been restricted or eliminated by the agency. Numerous problems remain however. Pollution from automobiles is extensive. A difficult problem yet to be solved is that of particulate matter, or particles of dust. The amount of dust is apparently related to the number of people living in an area. Human activity and autos going up and down

streets continually raise dust. In addition there is a "heat island" effect in which dust rises and moves toward the center of a metropolitan area in the absence of wind storms. The increased likelihood of the dust settling in the center means that many downtown areas are regularly going to have more particles of dust than suburban areas.

Oftentimes the Commission is faced with conflicting and difficult choices. To what extent should controls be placed on marginal sawmill operators in rural southern Missouri, thus in effect driving them out of business, though few people are affected by their pollution? Should coal be brought from Colorado in order to reduce pollution in the St. Louis area, though the transportation of the coal would result in substantial pollution in Kansas and Missouri? To what extent can burning be used as a means of disposing of garbage, thus reducing the landfill problem without increasing air pollution substantially?

Water conservation: Missouri has been concerned with water pollution since 1958 when the Water Pollution law was passed. The Missouri Clean Water Commission, as described by Director Jack K. Smith, has been concerned with measuring water quality, and insuring quality by requiring proper water treatment facilities. Significant progress has been made in restoring water quality, though we need to progress yet to the point where people are willing to treat waste water sufficiently so that they will be willing to reuse it immediately. Some reusages are already evident. Springfield is planning to reuse waste water for cooling in electrical plants rather than pump water out of the ground, especially since the water table in that area has declined sharply. Mr. Smith mentioned especially the help that citizens can provide by notifying the Water Conservation Board of any spillages or potential pollutants that they know of. All spills -- from barges, trucks, pipelines or whatever -- will eventually get into a water stream unless there is immediate action, and all streams are somebody's water supply. If Clean Water Commission officials are informed of the spill, they can limit its effect, and thus save the quality of Missouri

water.

Mental Health. Judy Cravens, Public Information Officer for the Division of Mental Health, stated that the Division has more than 10,000 employees. The Division administers five state hospitals, three community mental health centers, four private not-for-profit facilities, all in the Mental Health section; plus three state school hospitals; and nine regional diagnostic clinics for mental retardation. The policy of the Division of Mental Health has been especially to reduce the number of people in the major institutions like the state hospitals by moving people to such community placement programs as halfway houses or rehabilitation centers. Subsequently the hospital facilities can be used for more intensive treatment of remaining patients. In addition substantial efforts are being made to preserve mental health, or to prevent mental illness by having facilities for outpatient care easily available in many communities in the state.

Probation and Parole: Walter Sartorius, of the Probation and Parole Board, stated that decisions on probation -- release of convicts who have not been sent to jail -- are made by judges, while decisions on parole -- early release of convicts serving time -- are made by the Board of Probation and Parole. At present about 40 percent of the inmates leaving state prisons are on parole and 60 percent have completed their sentences. This proportion of parolees is one of the lowest in the United States but the Board has not been able to increase the proportion because of an inadequate number of parole officers. In other words, the Board might well have granted parole to additional prisoners, thus reducing the prison population, if more parole officers had been available. The last legislative session authorized the hiring of 50 new parole officers.

Of convicts released on parole, about 76 percent complete their sentences outside of prison without difficulty, about 19 percent have their parole revoked for technical violations, such as moving without informing the parole officer, and only about 5 percent have their parole revoked for commission of new felony offenses. Costs for a person on probation or parole are about \$1 per day while costs

of a prisoner in the Department of Corrections are about \$6.50 per day, or \$10 per day if capital costs are included.

The Probation Board hears the appeals of all prisoners, hearing the first appeal within one year after the convict enters prison. In deciding on parole the board considers such factors as his offense, length of time served, conduct in prison, and plans after his release. Each member of the board has had extensive previous experience in corrections work.

Executive officials: Additional duties important to the state are performed by state elected officials who addressed the conference. Secretary of State James Kirkpatrick discussed the changes made in records management for the state under his administration. Substantial volumes of useless records have been destroyed on a regular basis, and remaining records are now quickly accessible. Mr. Kirkpatrick noted that the destruction of records saved sufficient file cabinet space so that the state of Missouri did not need to buy any new file cabinets for four years after institution of the program.

Paul Wilson, Administrative Assistant to Lt. Governor William Phelps, discussed Mr. Phelps' interest in becoming a full-time Lt. Governor. He hopes to preside over the Senate; it is one of his objectives to encourage manufacturers to come to Missouri; he is on the Governor's Council of Community Affairs, which hopes to help determine what types of legislation local communities need. And in his capacity as Ombudsman, a voluntarily assumed function, he has set up an office of Citizen Complaints. Mr. Wilson reported that as Ombudsman, the Lt. Governor has received more than 200 citizen complaints. Although the office has no enforcement power, it does investigate the complaint, brings the situation to the attention of the Agency involved and tries to resolve any problems.

Bruce Cornett, Director of the Division of Governmental Affairs in the Auditors Office, noted that the thrust in state government is toward performance auditing, i.e., a concern with the value and appropriateness of the activities, in addition to traditional auditing and its concern with the legality of expendi-

tures and accuracy of records. One difficulty is that the Auditors Office has no enforcement powers and must rely on public opinion to insure compliance.

SELECT BIBLIOGRAPHY ON MISSOURI GOVERNMENT

- FAUST, Martin L., Constitution Making in Missouri: The Convention of 1943-1944, National Municipal League, 1971. A thorough study of the making of Missouri's constitution.
- FENTON, John, Politics in the Border States, The Hauser Press, New Orleans, 1957. Includes a section on politics in Missouri. Somewhat dated now, but easily readable.
- KARSCH, Robert F., The Government of Missouri, Lucas Brothers Publishers, Columbia, Mo., 1971. An indispensable textbook with a new edition each two years.
- LEUTHOLD, David A., "The Legislature in Missouri's Political System" in Patterson, Samuel C., Midwest Legislative Politics, Institute of Public Affairs, University of Iowa, 1967. An analysis of state political patterns, and their reflection in the legislature.
- MASTERS, Nicholas A., Robert H. Salisbury and Thomas H. Eliot, State Politics and the Public Schools: an Exploratory Analysis New York: Alfred A. Knopf, 1964. Includes a discussion of the politics of education in Missouri, with a perceptive analysis of state political patterns.
- OFFICIAL MANUAL OF THE STATE OF MISSOURI. Published every other year by the Secretary of State, Jefferson City. Excellent reference work. Each issue includes one or more feature articles.
- WATSON, Richard A. and Rondal G. Downing, The Politics of the Bench and the Bar; Judicial Selection under the Missouri Nonpartisan Court Plan, Wiley, 1969. A thorough analysis of the actual operation of the Missouri plan, which has been adopted in a number of states.

STATE LIBRARY PUBLICATIONS

Publications of the Missouri State Library which provide information on materials relating to Federal, state, and local government are:

INFORMATION FOR LOCAL OFFICIALS is prepared by the Staff of the Government Services Division of the Reference Department and lists new publications on Finance and Budgeting, Planning and Development, Housing, Police and Fire Protection and other matters of concern to local government officials as well as materials relating directly to Missouri.

INFORMATION '70 is also published by the Government Services Division and lists new books, documents, and pamphlets available from the State Library in various fields, including State and Local Government, Education, Law Enforcement, Health, and Mental Health.

STATE GOVERNMENT PUBLICATIONS is prepared by Meryl Atterberry, Documents Librarian. The Bi-monthly lists publications of Missouri state agencies, departments, divisions, and other branches of government and includes University of Missouri and other state college and university publications.

SHOW-ME LIBRARIES, the State Library Newsletter, has a regular column by Meryl Atterberry on documents which frequently includes information on state documents.

For copies of these publications write Missouri State Library, 308 E. High Street, Jefferson City, Missouri 65101.

The State Library maintains a collection of Federal, State, and other States' documents. It also receives the publications of many government-related organizations, including the Council of State Governments, and the Citizens Conference on State Legislatures.

APPENDIX I-- THE PROGRAM AND THE SPEAKERS

The more than thirty participants from some thirty public and special Missouri libraries who attended the Institute on State Government had completed background reading before their arrival in Jefferson City. On the opening day of the program, Dr. Leuthold, as an introduction, addressed himself to two subjects: An "Overall View of State Government and the Decision-Making Process" and "Missouri Government." This was intended to establish a framework for the week's program.



The luncheon speaker on Monday was Secretary of State, James C. Kirkpatrick, first elected to the Office of Secretary of State in 1964 and reelected in 1968 and 1972. Secretary Kirkpatrick is a native of Caldwell County, Missouri and was educated at Northeast High School

in Kansas City, Central Missouri State University in Warrensburg, and the University of Missouri-Columbia School of Journalism. He has been a newspaperman, editor, and publisher and has spent a number of years in public service. He was administrative assistant to Governor Forrest Smith and a member of Governor John M. Dalton's Committee on Commerce and Industrial Development. He is a member of the Missouri Academy of Squires, was a recipient of a Distinguished Service Award at the fifth annual presentation of the Faculty-Alumni Awards at UMC, and was recently elected President of the National Association of Secretaries of State at the 56th annual Conference of the "oldest organization of major public officials in the nation."

Mr. Kirkpatrick, who has provided a number of interesting articles for the State Library's SHOW-ME LIBRARIES on the Records Management and Archives Service Division of the Secretary of State, and on specialized materials in the State Archives, spoke on the "Office of the Secretary of State--Its Role and Responsibilities."

The Secretary of State's Office, he pointed

out, has existed since before Missouri became a state. Joshua Borton was made the first Secretary of State of Missouri in September, 1820, but "only after a dispute with the Senate questioning the constitutionality of his appointment." He continued to serve as Secretary of State after Missouri was admitted to the union, through the summer of 1821, when President Monroe appointed him U.S. Attorney in St. Louis.

"Office holders are traditionally hesitant to criticize other state officials," Mr. Kirkpatrick said. "This is true in part because of Joshua Borton's experience. He charged the Surveyor General of Missouri, Illinois and Arkansas with corruption in office. The Surveyor General's younger brother challenged Borton to a duel and killed him with a shot through his heart."

The sad account of Joshua Borton is just one of the many interesting stories contained in the Missouri State Archives. The Secretary of State is responsible for maintaining the archives as part of the newest and one of the most interesting divisions of the Office, the State Records Management and Archives Service, which was established by the General Assembly to provide a State Records Management Program.

Mr. Kirkpatrick reported that 185 million obsolete records have been destroyed and that 126 million semi-active records are stored in the State Records Center. By means of the retrieval process developed, any record can be located within three minutes.

Other functions of the Secretary of State's Office discussed by Mr. Kirkpatrick were those of the Corporation Division, which maintains records on nearly 250,000 firms which have been or are doing business in Missouri. Automated rotary files have been installed and a terminal-digit filing system has been instituted by the division, and a question about any Missouri corporation or business can be answered within three minutes.

The Uniform Commercial Code Division is

responsible for maintaining financial records on liens and mortgages in Missouri. This is another one of the divisions which was established in the 1960's, and since it got underway in 1965 the Secretary of State's Office has been able to maintain one-day service on nearly 50,000 filings and information requests a year.

The third division of the office which is involved with the business community in Missouri is the Securities Division. The Secretary of State's Office is responsible for reviewing securities, and if they meet Missouri's high standards, registering them so they may be offered for sale to Missouri investors. This includes stocks, bonds, debentures and other items in the nature of investment contracts. The Securities Division also licenses broker-dealers, or investment bankers and firms, as well as agents who buy and sell securities.

Secretary Kirkpatrick reported that there are nearly 260 broker-dealers in Missouri and almost 3,500 agents. Securities are a big business. In 1971 more than \$3.5 billion dollars worth of securities were offered for sale to Missouri investors; this increased by \$1 billion, to over \$4.5 billion in 1972. In 1972 the total fees generated were nearly \$400,000.

As the participants realized during Secretary Kirkpatrick's talk, the Secretary of State "wears many hats." The oldest hat, in a historical sense, is "keeper of the Seal of Missouri." The Constitution of Missouri authorizes the Secretary of State to authenticate all official acts of the Governor, except the approval of laws, by affixing the Great Seal of Missouri. Each year the Great Seal is affixed to documents nearly 45,000 times. Despite Secretary of State Kirkpatrick's well known affinity for a bit of Irish green, tradition is followed and a gold seal is used. However, it is decorated with green ribbons and Mr. Kirkpatrick signs his name in green ink. The Commission and Administrative Rules Division is responsible for keeping and affixing the Great Seal. That division maintains a record of all the proclamations, executive orders and appointments of the Governor, along with all the rules and regulations of state agencies.

One of the busiest divisions last year was the Elections Division. The Secretary of State is

chief election official for Missouri, responsible for filing candidates for state offices, including governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, United States senators and congressmen, and Missouri senators and representatives. After everyone has filed for office, the ballots for local election officials are prepared. Last year, for the first time, the General Assembly authorized the preparation of an instruction booklet for election judges and clerks.

After the election is over, the monumental job of canvassing the vote and certifying the results to the Governor and General Assembly is the responsibility of the Secretary of State's Office, which is involved in many other phases of the election process. When people wish to review and possibly override an action the General Assembly has taken, they circulate a referendum petition to place the question on a statewide ballot. When Missourians want to propose a law that the General Assembly refuses to enact, they may place the question on the statewide ballot through the initiative petition process. When a third party wishes to qualify for a place on the statewide ballot, they must circulate petitions statewide.

All of these petitions are submitted to the Secretary of State's office, which examines the petitions and verifies the number of signatures by congressional district in compliance with the requirements of Missouri's Constitution and laws.

At the urging of the Secretary of State, the General Assembly established an Election Laws Study Commission to study the problems of Missouri's elections and recommend solutions. One of the most important changes recommended that was adopted was to eliminate the delayed counting of absentee ballots. Now absentee votes are counted on election day along with the regular returns.

Other Election Laws Study Commission recommendations enacted into law by the legislature include:

Uniform hours at the polling place for all elections; uniform dates for primary and general elections; improved ballot secrecy; statewide county and local option for electronic voting machines;

an instruction pamphlet for election judges and clerks; and, after many years of effort, the expansion of voter registration in Missouri statewide by action of the last General Assembly.

With the realization that more than a part-time study Commission is required to revise Missouri's election laws, the Election Laws Study Commission was allowed to pass out of existence this year and an interim legislative committee was appointed in its place. Secretary of State Kirkpatrick strongly recommended that "the best way to bring Missouri's election laws out of the dark ages would be to completely recodify all of the election laws in one omnibus bill."

At the end of his talk Mr. Kirkpatrick reported on another division of his office. "Perhaps I need to talk least about one of our divisions of which I am proudest, Publications, since you librarians are all familiar with its work, the Official Manual of Missouri. While we are responsible for printing many publications in addition to the manual, it is the manual on which we expend most of our efforts and which has received the most attention.

In 1967 we made the first major changes in 35 years in the Official Manual, changing the format, typestyle, layout, introducing the use of color pictures and, despite the tremendous growth of state government, including more information and cutting the size of the manual by 256 pages.

Of course, these changes didn't receive nearly the public attention that our one change in the 1969 Official Manual did. That was the year we changed the color of what had been the "blue book" for 90 years to green. Not wanting to be accused of a color prejudice, we used the colors of the University of Missouri, black and gold, for the 1971 Official Manual.

We haven't picked the colors yet for the 1973 manual, which will come off the press in November. About the only thing I can promise you is, it won't be blue!"

As Mr. Kirkpatrick demonstrated, the Secretary of State's Office has much in common with libraries -- it answers questions, provides information and prepares publications. He concluded: *"We stand ready to help you,*

as librarians, in any way we possibly can. We welcome you as . . . partners in the struggle to maintain an informed and interested Citizenry in Missouri," voicing very directly the objectives of those who had planned the Institute on State Government. The Secretary of State pointed out that the more Missourians understand government processes and the more they participate, the better government will be.

This was a theme that was to be reiterated throughout the week.

The afternoon on Monday was devoted to two panel discussions. The first focused on "Public Demands and Attitudes." Dr. Leuthold discussed "Public Opinion Surveys in Missouri"; Ann Tettlebaum, Program Assistant in the Governor's office, reported on "The Governor's Mail," and Phill Brooks, Bureau Chief of Missouri Radio News, analyzed "The Press as a Reflection of Public Attitudes."

Mrs. Tettlebaum, who lives in California, Missouri attended University City Senior High School. She is a graduate of Wellesley College, with a major in American History and has an M.A. in American History from Washington University. At Washington University she



served as a teaching assistant in Western Civilization and American History; she was Research Analyst for the United States Department of Justice, Civil Rights Division, Education Section and served from August, 1971 to January, 1973 as Examiner and Research Assistant in the Office of

the State Auditor of Missouri. Since January of this year she has been Program Assistant in the Office of the Governor, and one of her responsibilities is to review some of the suggestions and complaints that the Governor receives from Missouri citizens, bringing to his attention those that she feels he should see personally and directing others to the appropriate state agency or office for attention.

Phill Brooks, who holds a B.J. and an M.A. from the University of Missouri School of Journalism, has had a variety of experiences

as a newsman. From 1966-69 he was reporter and then News Director of KCCS, a student-owned radio station, at UMC. From 1969-70 he served as News Editor for KFRU in Columbia on a part time basis. He spent a year as News Editor at KLZ in Denver and then returned as full time News Editor of KBIA Radio. In 1972 he was a participant in the Washington (D.C.) Reporting Program as a Reporter for National Public Radio.

The Missouri Radio News was formed in January, 1973, under the auspices of the University of Missouri School of Journalism to provide the University's FM stations with news from the Capital in Jefferson City. It presently serves the stations of the University's four campuses: St. Louis, Kansas City, Rolla, and Columbia.

Mr. Brooks is the husband of Mrs. Lorraine Brooks, who is a staff member of the Government Services section of the Reference Department at the State Library.

The second panel discussed "Interest Groups and Lobbyists--Their Influence." Panelists were James Davis, Secretary-Treasurer of the Missouri State Labor Council AFL-CIO and William Mitchell, Executive Director of the Missouri Association for Mental Health; Judge Anthony Hiesberger, Presiding Judge of Cole County and first Vice President of the Missouri Association of Judges, was scheduled to talk but was unable to be there because of illness in the family.

Mr. Davis, a native of Mokane, Missouri, has been a member of the United Automobile Workers for over thirty years; he is a former International Representative for the UAW, and he is presently a member of the United Steelworkers of America. He has served as Secretary-Treasurer of the CIO Industrial Union Council and the AFL-CIO State Council for over twenty-five years. Mr. Davis was a member of the Missouri Trade Mission to Europe in 1964; a member of the first Missouri Atomic Energy Commission; a member of the Missouri Environmental Authority; and a member of the Cultural Exchange to Japan under the auspices of the State Department in 1967. He served on the Mid-Continent Advisory Council on Job Placement for four

years. A resident of Jefferson City for over twenty years, Mr. Davis has two daughters and ten grandchildren.

Mr. Mitchell was appointed Executive Director of the Missouri Association for Mental Health in April, 1972. Prior to this appointment he was Executive Director for Programs and Development for the Mental Health Association of Greater St. Louis; while serving in that capacity, he was responsible for the various programs of the Association, particularly those relating to drug education. Before going to St. Louis, Mr. Mitchell served as Assistant Director of the Iowa Association for Mental Health and was involved in development and community organization for the Association. He has also served as a consulting faculty member to the School of Continuing Education, Department of Health Studies, at the University of Oklahoma at Norman.

Tuesday provided participants with a rewarding opportunity to get a look behind the scenes at the State Legislature. Dr. Leuthold began with "The Legislative Branch--An Overall View," and two members of the State Legislature spoke to the participants on their views of the legislature and its work.

The Honorable Larry Marshall, State Senator from the 19th District, discussed the "Responsibilities and Decisions the Legislator Faces" and the Honorable Harold Dickson, State Representative from the 112th District talked on "The Legislative Committee -- Its Role and Decisions."

Senator Marshall, born in Joplin, was educated at Hickman High School in Columbia, the United States Naval Academy, and UMC, where he earned an A.B. in Political Science in 1958 and an LL.B. in 1962. An attorney



with Butcher & Marshall Law Firm in Columbia, Senator Marshall serves on the Boone County Child Welfare Advisory Board, the Salvation Army Board of Directors, the Columbia Drug Abuse Council, the Missouri Association for Social Welfare and is a member

of a number of other organizations. He is currently serving on The Corrections Task Force of the Missouri Association for Social Welfare, the Adjudication Committee of the Missouri Law Enforcement Assistance Council, the Permanent Joint Committee on Correctional Institutions and Problems and several other committees as well as the State Records Commission.

Representative Dickson, born near California Missouri, was educated in the California public schools and at William Jewell College in Liberty. He was a member of the



School Board of the California School District for 12 years and President of the Board for 10 years. He also served on the County Board of Education and is a former member of the Executive Committee of the State School Board Association.

Elected to the House of Representatives in 1962, he was reelected in 1964, 1966, 1968, 1970, and 1972. Representative Dickson was the recipient of a Special Citation from the Missouri Library Association in 1967, conferred on him in recognition of his efforts in behalf of Missouri's public libraries and for his devotion to furthering the interest of public library service in the state.

Mr. Dickson is a charter member of both the local Industrial Development Committee and the Moniteau County Historical Society. He was presented a Special Award by the Scouts of America in 1971. A delegate to the White House Conference on Aging in 1972, Mr. Dickson was recently appointed by Governor Bond to the Task Force to Study Problems of the Elderly.

In the afternoon Mark L. Edelman, Budget Director, spoke on the "Division of the Budget--Responsibilities and Decisions." Mr. Edelman, a native of St. Louis, is a graduate of Oberlin College in Ohio. His work experience includes service as a Budget Analyst for the United States Information Agency and as a Budget Examiner for the Office of Management and Budget from 1968-72. In 1972, Mr.

Edelman came back to Missouri to join Governor Bond's campaign. He was appointed Budget Director in January, 1973.

C. Bruce Cornett, Director of Governmental Affairs in the Office of the State Auditor of Missouri, discussed the "Office of the State Auditor--Responsibilities and Decisions." Mr. Cornett was appointed to his office in July by Missouri State Auditor, John Ashcroft. He is responsible for bond registration, the filing of the financial statements of political sub-divisions, legislative liaison and liaison between the State Auditor's Office and other levels of government.

A native of Columbia, Mr. Cornett is a graduate of the University of Missouri-Columbia, with a B.A. in Political Science. As an officer in the Air Force, he served in Vietnam for a year. He earned a number of decorations, including: the Vietnamese Air Service Medal and Cross of Gallantry; the U.S. Air Force Medal; and the U.S. Air Force Distinguished Flying Cross.

Cornett worked with the U.S. Department of Housing and Urban Development in St. Louis. There he was responsible for the construction of multi-family housing units in the eastern half of Missouri. In January, 1973 he was appointed Director of the Missouri Office of Economic Opportunity in Jefferson City, a position he held until Mr. Ashcroft asked for his services in the Auditor's Office.

On Wednesday James R. Spradling, Director, spoke on "The Department of Revenue." A Carthage business man and attorney, Mr. Spradling has had extensive experience in business, as a lawyer, and as a teacher.



He was President of Refrigerated Services, Inc. of Carthage; H. & W. Foods, Inc., of Joplin, and a director of the Carthage Publishing Company. From 1961 to 1972 he was a partner in the Carthage law firm of Birkhead, Spradling and Phelps. From 1969 to 1972 he was an Assistant Professor of Political Science at Missouri Southern College.

Mr. Spradling has served as Municipal

Judge, as President of the Carthage Board of Public Works, as Vice President of the Jasper County Association for Social Services and as a Member of the Small Business Administration Advisory Council of the Kansas City District as well as in various other capacities in his community.

Following Mr. Spradling's discussion of the functions and activities of the Department of Revenue, Ann Tettlebaum, made a second appearance on the program to discuss "The Office of the Governor." Pointing out that there are not many statutory duties, but a number of traditional functions and rituals which the Governor performs to make state government visible to the people, Mrs. Tettlebaum gave a number of examples of both statutory and other duties:

The Governor has the power of extradition and commutation; the power to pardon and restore the rights of citizenship; he prepares the Governor's Legislative Package to present to the General Assembly; although there are many independent agencies, such as the Highway Commission, the Conservation Commission, and the State Board of Education, the Governor seeks to work closely with state agencies, both to influence policy and to see that policies he believes in are followed. Something of the Governor's concerns and priorities were revealed as Mrs. Tettlebaum discussed his interest in Special Education, Economic Development and other problems.

When Dr. Leuthold commented that some of the Governor's staff seem to have had little experience in politics and are very loyal to the Governor, Mrs. Tettlebaum replied that the staff seeks to be thoroughly familiar with what state government does and stressed the accessibility of the Governor. She did not feel that there was a danger of the Governor relying too heavily on a small group of staff advisors.

On Wednesday afternoon Institute participants got an in-depth look at the Judicial branch of state government. Dr. Leuthold spoke on "The Judicial Department--An Overall View." The group then moved to the Supreme Court Building and Judge James A. Finch, Jr. gave participants a very candid

and informative look at the way decisions are made by the Supreme Court of Missouri.

Born in St. Louis, Judge Finch was educated in the public schools of Fornfelt and New Madrid. He attended Southeast Missouri State University and the University of Missouri - Columbia, where he received an A.B. Degree in 1930, a J.D. Degree in 1932, and an LL.D. Degree in 1966. He practiced law in Cape Girardeau, served as Assistant Attorney General of Missouri from July-



December in 1932 and as acting prosecuting attorney of Cape Girardeau County in 1941-42.

Judge Finch was appointed to the Supreme Court under the Missouri Court plan by Governor John M. Dalton and assumed office January 8, 1965. At the general election on November 8, 1966, he was retained in office for a twelve year term. He has served a term as Chief Justice, which expired June 30, 1973.

A member of Phi Beta Kappa and a Fellow of the American Bar Association, Judge Finch has served as a member and President of the Trustees of the UMC Law School Foundation and on the Board of Curators of the University of Missouri. He was President of the Board from 1954-64. In 1963, he was elected to the Missouri Academy of Squires and he received the Distinguished Service Award from the University in 1965. The recipient of a number of other awards, Judge Finch served as chairman of the Governor's Council on Higher Education, 1959-63, the Governor's Commission on Education Beyond High School, 1958-60 and the Missouri Citizens' Advisory Commission on Higher Education, 1957.

Judge Finch discussed the structure of the Supreme Court, its duties and responsibilities, and its function within the state. In describing the procedures by which a decision is arrived at, the careful and painstaking study of cases by individual Justices and the Court, the continued consultation of the Justices as a case is considered, the checks and balances in effect, and the ways in which the

Court strives to achieve a just decision, an institution which had seemed to some of the participants somewhat isolated and monolithic became much more comprehensible in its day to day work. Judge Finch's discussion succeeded in humanizing a governmental branch which is perhaps least known and understood by the average Missourian.

Following Judge Finch's talk Marcia J. Koslov, Librarian of the Missouri Supreme Court, discussed the services and resources of the Library. Although its service is primarily to the judicial branch of government, the Library is used extensively by both the legislative and Executive branches, and, through the State Library, provides information to public and special libraries on a statewide basis. Ms. Koslov, who has an A.B. from the University of Missouri - Columbia,



with a double major in Political Science and Library Science, and an M.A. in Library Science from UMC, attended an Institute on Legal Bibliography sponsored by the American Association of Law Libraries, held at the University of Illinois in 1972. Her experience includes service as a Library Assistant at the UMC Law Library and as Assistant Librarian of the Missouri Supreme Court Library. She was appointed Librarian at the Supreme Court in January, 1972. After her talk, Ms. Koslov conducted a tour of the Library, pointing out special materials and resources to the Institute participants.

On Thursday morning two agency directors, Harvey D. Shell, Missouri Air Conservation Commission, and Jack K. Smith, Missouri Clean Water Commission, reported on Missouri efforts to preserve the environment.

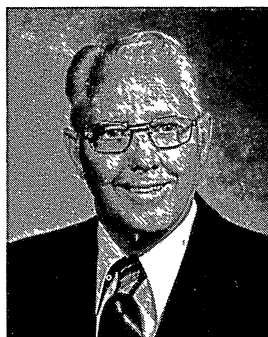
Mr. Shell, who holds a B.S. in Chemistry from Southeast Missouri State University in Cape Girardeau and a B.S. in Chemical Engineering from the Missouri School of Mines and Metallurgy in Rolla, attended graduate school at UMC. His experience includes teaching Science and Math in high school; process

development and production work in processing uranium for the Mallinckrodt Chemical Company of Weldon Springs, Missouri; and design engineering and production involving a variety of chemical processes for the Pennsalt Chemical Company of Calvert City, Kentucky. He was a manager of a hydrofluoric plant for



Pennsalt for four and a half years. Mr. Shell has been Executive Director of the Air Pollution Program Administrators and is a member of the Air Pollution Control Association.

Mr. Smith holds a B.S. in Civil Engineering from the Georgia School of Technology and



an M.S. degree in Sanitary Engineering from the University of Missouri - Columbia. He began work in sanitary engineering with the Missouri Division of Health in 1938 and became Executive Secretary of the Missouri Water Pollution Board when it was appointed

by Governor James T. Blair on April 5, 1958. He has received a number of awards, including the Arthur Sidney Bidell Award for contributions in the field of water pollution control and the W. Victor Weir Award by the Missouri Water and Sewerage Conference for outstanding and devoted service to the public in the fields of water and wastewater management and operation. On March 17, 1963 he became Knight of St. Patrick (Summa Cum Laude) at UMC, and in 1971 he was elected President of State and Interstate Water Pollution Control Administrators.

To provide a background for an anticipated talk by Lieutenant Governor William C. Phelps on "The Office of Lieutenant Governor -- Its Role and Responsibilities," Dr. Leuthold presented a discussion of "The Elective Offices -- an Overview." Since the Lieutenant Governor was unable to make the luncheon at which he was to speak, a representative from his office,

Paul Wilson, outlined Mr. Phelps' objectives in the Office of Lieutenant Governor, to which he plans to devote full time. One of the tasks he has undertaken is that of encouraging manufacturers, both American and foreign, to come to Missouri. Perhaps the development of the Office of Citizen Complaints, or Ombudsman, is the activity of the Lieutenant Governor which has received the most attention in the state. This is a voluntarily assumed function for which there seems to be a need, and the Lieutenant Governor's Office has prepared a brochure describing concept, goals, and activities of the Office of Citizen Complaints. A copy of this brochure may be obtained from the State Library.

On Thursday afternoon, Ms. Karen Harper Assistant Attorney General, spoke on "The Office of Attorney General--Responsibilities and Decisions." Ms. Harper, who was born in Urbana, Illinois, is the daughter of an Air Force officer and has lived in many parts of the world. She attended Stephens College from September, 1964, until January, 1968, when she graduated with a B.A. in the Humanities. From February-August, 1968, she attended Katharine Gibbs School in New York and completed the "One Year Secretarial Course," in that time, earning a Certificate of Merit. She worked as Administrative Assistant to the Associate Dean of the College of Education at UMC for a year and then entered Law School at the University. She graduated in May, 1972, with a jurisdoctor.

Ms. Harper joined the staff of the Missouri Attorney General in May, 1972, and at present she is involved almost exclusively in criminal appeals. Describing the Attorney General, as the "lawyer for the state of Missouri," Ms. Harper gave a comprehensive review of the work of the Attorney General's office. When asked during the question period if she was ever required to take a side in a case which she could not, in good conscience, support, Ms. Harper gave a very articulate and persuasive explanation of her view of the law, the Constitution, and the duties of her office. However, in the event that there is a conflict in conscience, a member of the Attorney General's

staff may ask to be relieved of a particular assignment.

Thursday afternoon's program was concluded with a "Tour of Missouri's Archives," conducted by Mrs. Pauline Irvine, Archivist. November and December, 1972 SHOW-ME LIBRARIES contained articles by Secretary of State James Kirkpatrick on the "Records Management and Archives Service Division of the Office of the Secretary of State," and Mrs. Irvine reported to the Institute participants on the many interesting documents to be found in Missouri's Archives, which constitutes one of the great collections of primary resource material in the state.

On the last day of the Institute program, Judy Cravens, Information Officer for the Division of Mental Health discussed the objectives, the services, and the programs of the largest of the state agencies. Employing some 10,000 people, the Division has twenty-one centers scattered throughout the state. The objectives are the humanization and normalization of the environment in institutions, and Ms. Cravens discussed the preventive and outreach services, the Regional Diagnostic Centers and the intensive treatment programs.

Ms. Cravens is a graduate of Parkview High School in Springfield and of Southwest Missouri State University, where she obtained a B.S. degree in Sociology, English, and Psychology. She has taken course work toward an



M.S. in Public Health Administration and Education at the University of Missouri-Columbia and her work experience has included substitute teaching in the Magnolia School for the Retarded in New Orleans; Assistant Director of the Westport Youth Center in Springfield; Research Assistant in the Department of Community Health and Medical Practice, Multiple Handicap Clinic, at UMC and Community Relations Director of the Mid-Missouri Mental Health Center. She has served as Information Officer for the Missouri Division of Mental Health since July, 1972.

Ms. Cravens is active in a number of organizations. She is a member of the Advisory Board, Volunteer-Information Center, Columbia; Chairman of Publicity for United Cerebral Palsy of Missouri; a member of the National Public Relations Council of Health and Welfare Services and the National Committee for Mental Health Education.

Ms. Cravens brought copies of "A Listing of Mental Health Films and Pamphlets," Fifth Edition, 1973, and a brochure describing and listing "Missouri's Public Mental Health and Mental Retardation Services." Copies of these publications may be obtained from the Missouri Division of Mental Health. Topics covered in films available include Aging, Alcohol, Drugs, Growth and Personality Development, Interpersonal Relationships, Sex Education, and Perception and Communication. Films may be secured without cost by any individual or agency by writing.

Health Education Services
Missouri Division of Health
Broadway State Office Building
Jefferson City, Mo. 65101

Closing the program of speakers planned by Mrs. Daugherty was Mr. Walter G. Sartorius, of the Division of Probation and Parole. Mr. Sartorius has spent over thirty years in corrections work in Wisconsin and Missouri and Institute participants found his presentation interesting and informative.

Mr. Sartorius is a native of Garden City, Kansas and attended Garden City Junior College for two years. He received a B.S. in Sociology (Magna Cum Laude) from St. Louis University and completed 46 hours of graduate work in the School of Social Work at St. Louis University and at Washington University. He received an M.A. in Social Work from the University of Wisconsin in 1960. Mr. Sartorius

has had extensive experience in Social Work, as a caseworker in St. Louis; he served as a Probation and Parole Officer for the Missouri Board of Probation and Parole and was supervisor of the St. Louis office from 1946-1954. He was



employed as a Probation and Parole Agent II by the Wisconsin Division of Corrections from 1954-1961 and as Supervisor of Recruitment and Graduate Training for the Wisconsin Division of Corrections from 1961-1966.

He was appointed Chairman of the Missouri Board of Probation and Parole by Governor Hearnes September 1, 1966 to fill the unexpired term of the previous Chairman. Reappointed as Chairman by Governor Hearnes in 1970 for a six-year term, he was replaced as Chairman by Governor Bond on September 1, but continued as a member of the Board for the remainder of the term. Active in a number of national, regional, and professional associations Mr. Sartorius has served on a variety of advisory committees in Missouri. In 1969-70 he was President of the National Association of Paroling Authorities and he serves as a member of the Board of Directors of the American Corrections Association.

One of the questions asked by participants regarded women parole officers. Mr. Sartorius reported that there are 50 women parole officers in Missouri; that the first was employed in 1967; and that there is no distinction in caseload assignment.

To conclude the week's program, Dr. Leuthold reviewed for the participants the framework and approach the Institute had taken and asked them to evaluate the Institute program, both in its concept, its realization, and in the specific provisions. Both Mrs. Daugherty and Dr. Leuthold felt that the reactions of the participants would be of value in planning future institutes.

The August Institute on State Government was very favorably received by the participants and they thought it would prove of value to them during the coming year as they serve a public becoming more interested in the affairs of government. Their perceptive and helpful evaluations helped the coordinator and Resource Specialist pinpoint specific strengths. The general overall plan and the speakers were considered to have been outstanding. In addition some possibilities for improvement of the Government Institutes were suggested.

APPENDIX II--
THE SUPREME COURT LIBRARY
By Marcia Koslov,
Librarian

The Missouri Supreme Court Library had its origins on January 23, 1829, when an act creating the State Library was approved by the Legislators, who even then felt the need for the preservation of documents. This act made it the duty of the Secretary of State to act as Librarian and to see that copies of all laws and legislative journals of the state and federal governments were sent to the library.

Although this act specifically states that "all persons shall have free access to the library," the privilege of borrowing books was limited to the Governor, executive officers of the state, members of the General Assembly, and judges of the state and federal courts. This portion of the original act remains in force even today.

In 1843 the Clerk of the Supreme Court was made ex officio librarian of the State Library. And, in the same act "attorneys practicing in the Supreme Court..." were given access to the State Library's collection of legal materials in preparation of their cases before the Supreme Court.

By 1855 the law collection was recognized as a collection distinct from the "miscellaneous library" and separate rooms in the state capitol building were appropriated. The law library, as it was known, was placed under the control of the Supreme Court. Ten years later the librarian was directed to place the seal of the Supreme Court on all books. In 1889 the sum of \$12,500 was appropriated for a fire-proof addition to the Supreme Court building for the use of the State Library. And, when the present Supreme Court Building was erected in 1905-06, one-half of the second floor was designed for the State Library.

Through the years the use and control of the library shifted to the Supreme Court. However it was not until 1945 that the present State Library was created and the sections relating to the former State Library, which was under a librarian appointed by the Supreme Court, were repealed and enacted into twelve new

sections dealing strictly with a Supreme Court Library. Today, Chapter 180 of the 1969 Missouri Revised Statutes, sets forth the laws governing the functions and use of the Supreme Court Library.

Although functioning under the jurisdiction and control of the Missouri Supreme Court, the library has many service responsibilities. Legal reference and research services to the Missouri Supreme Court and the office of Attorney General are naturally of top priority. However, just as important are these same services to the Legislature and the legislative research staff, the executive department and the various state agencies, the entire bench and bar of the state of Missouri, and the general public. The library is open to the public although the law singles out state officers, members of the General Assembly, and judges or attorneys of the Supreme Court for the privilege of checking out library materials. However, xerox facilities are available for other users.

It has been said that "Law is a literature oriented profession." It utilizes the doctrine of "stare-decisis," whereby a principle of law, once applied to a given set of facts, will be followed in future cases with a similar set of facts. In other words, the decision of a present case will be based on precedents set in previous cases of a similar nature. Therefore, while every day so many thousands of pages of new decisions and new laws are written, the older materials are not only valuable, they are necessary.

Briefly, a legal collection is divided into two general categories: 1) Primary source materials which are the actual legislation and judicial decisions; and, 2) Secondary source materials which explain and describe the law. Included here are such materials as textbooks and periodicals. A third category is used by some to describe books of search such as encyclopedias and loose-leaf services, and books of index such as dictionaries, digests,

form books, citators, etc. All of these materials, with the exception of the books of index, which are reference materials, may be cited as authority.

The Supreme Court Library contains approximately 80,000 volumes. The major portion of the collection is primary source materials. This includes the reports of decisions of appellate courts of all fifty states and territories, and decisions of the federal appellate courts (United States Supreme Court, U.S. Ct. of Appeals, etc.) and of governmental agencies such as the Federal Trade Commission, and the Interstate Commerce Commission. Legislation, the second of the primary source material, had equal coverage in the Supreme Court Library. Session laws and statutes (most of them annotated) for all fifty states and territories, and for the United States government, from their inception to the present, are contained in this part of the library's holdings.

Approximately one hundred and twenty legal periodicals are subscribed to on a regular basis by the law library. The Index to Legal Periodicals, the current index to many American legal journals and substantially all British periodicals, is used in a subject and author approach to the articles. Legal textbooks discussing various areas of law are presently being updated to include the most recent topics of judicial concern. As a government depository, the Supreme Court Library receives all GPO materials of a legal nature, plus any materials relating to the administration of justice, such as crime, delinquency, environment, consumer protection, urban affairs, pollution, etc. The Supreme Court Library also houses a complete reference collection of legal dictionaries, encyclopedias, loose-leaf services, digests, form books and citators.

The Supreme Court Library has recently doubled its staff to four full time members. Mrs. Carol Bird, who joined the staff in September, is in the process of cataloging the law library in the new Library of Congress K Classification for Law. Through her efforts the card catalog will be reproduced and updated. The most beneficial aspect of the K

Class is that it will enable the textbook section to be reshelfed in subject order.

Paula Hilkemeyer, our "technical services" librarian, not only checks in all new materials, but is presently working with the Government Documents. Hopefully, in the not too distant future, all government docs will be classified by the Su-Docs (Superintendent of Documents) number, and cards for a GPO shelflist and for the main card catalog will make these materials readily accessible.

Mrs. D. A. Divilbiss heads the library's reference services. (Her staff consists of Carol, Paula, and myself.) However, D. A. is probably our most well-read staff member as she daily scours the New York Times, the Washington Post, the Wall Street Journal, and several Missouri papers, for the latest information on courts, judicial decisions and various other pertinent legislation and events.

As for myself, well, I simply open the library at 8:00 a.m. and close the door at 5:00 p.m. Please feel free to walk in, call or write at any time if I or my staff can be of service.

Ms. Koslov, whose interest in libraries dates back to her high school days, has undertaken to streamline the technical procedures at the Supreme Court Library and has succeeded in reducing the time necessary for processing of materials by eliminating duplication of check-in procedures and setting up a single holdings catalogue which will be incorporated into the shelflist. She has reorganized the files and reevaluated the Government Depository Program, eliminating much of the materials being received. Records of government documents holdings have been initiated. To gain space Ms. Koslov has reviewed approximately 6,000 books, pamphlets, and periodicals, which have either been boxed for future reference, given or sold to various agencies, or otherwise disposed of.

A native of St. Louis, Ms. Koslov finds Jefferson City an interesting place to live and the Supreme Court Library a challenging and rewarding place to work.

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